

ATTACHMENT A

CONTRACTOR CONDUCT DURING CONSTRUCTION & DEPOSIT

Deposit Required:

In addition to the Building Permit fees and utility hook-up charges set out above, a deposit in the same amount as the permit fee shall be paid to the City. The deposit is refundable to the Applicant who made the deposit after a Certificate of Occupancy is issued and the Building Inspector has authorized the refund. The Applicant shall be provided a copy of this section when the deposit is delivered, providing notice of the possibility that deductions will be made for certain acts as set out herein. Additionally, the Applicant shall agree, in writing, that deductions may be made from the deposit for the acts described in Sections 6.2 and 7.3.1.

Possible Deposit Deductions & Forfeiture:

Forfeiture: On new construction Projects, if the structure is occupied before the City issues an Occupancy Permit, the deposit is forfeited in its entirety.

Deductions: A deduction from the refund will occur if any of the following situations arise:

- 1) Absence of restroom facilities for the construction workers at any time work on the Project is ongoing. Any violation of this provision shall result in a deduction from the deposit of \$15 each day there is a violation.
- 2) The Site and surrounding areas shall be kept free from construction debris and litter with no significant accumulation occurring outside of the required trash enclosure for more than four consecutive days. The trash enclosure is to be located on the Site through completion of the construction period. If the permit holder does not provide an orderly Site and unconfined debris accumulates and threatens the surrounding areas, the City will advise the permit holder of, and require, an immediate clean up. Absent compliance, the City shall contract for the necessary clean up, and the actual cost incurred by the City for cleaning the Site will be deducted from the deposit.
- 3) Organic material (tree limbs, brush, bushes), which is cut and not removed from the Site within fourteen (14) days, will be removed by a contractor hired by the City and the City will deduct from the deposit the actual cost incurred by the City for the removal of organic material.
- 4) The permit holder shall preserve, and totally restore to generally equivalent condition if damaged, City or subdivision-owned property including roads, drainage ditches or signs. Any un-repaired damage shall be repaired by a contractor hired by the City or Subdivision where the site is located and the actual cost incurred by the City or Subdivision for repair or restoration will be deducted from the deposit and, when applicable, paid to the Subdivision by the City for actual costs incurred by the Subdivision.
- 5) No construction material, debris, removed brush or equipment may be located on properties adjacent to the Site without express written permission of its owner or agent. Unauthorized dumping on adjacent property, on roads or rights of way, or in violation of any City ordinance or regulation including but not limited to an anti-dumping ordinance will be removed by a contractor hired by the City and the actual cost incurred by the City for the removal will be deducted from the deposit.

- 6) Construction shall only occur during weekdays and Saturdays, and hours of work shall be no earlier than 7 a.m. and no later than 7 p.m. unless specifically approved by the City. Any violation of this provision shall result in a deduction from the deposit of \$100 each day there is a violation.
- 7) Permit holder must enforce compliance with the City's Parking Ordinance #07-05-15A. (See enclosed copy.) Any citation issued by the City Inspector will result in a charge of \$100 each day the problem persists which will be deducted from the deposit. If a citation for the same problem is issued by the Police Department, it is the permit holder's responsibility to notify Development Services, so the charge will not be deducted from the deposit.
- 8) Should the Building Permit deposit balance become negative, a new deposit of \$1,000 will be required. If this should occur, the Site will be Red Tagged and all construction must stop until the additional deposit is submitted.
- 9) A copy of the building permit shall be posted at the site at all times during construction, at a location accessible and easily seen from the site's boundaries. Any violation of this provision shall result in a charge of \$15 for each day there is a violation which will be deducted from the deposit.
- 10) Any inspections requested and performed after hours will result in the undersigned being charged for the inspector's time.

Acknowledgement:

I have received and reviewed this attachment, concerning the construction conduct and deposit requirements associated with the issuance of a Building Permit by the City of Horseshoe Bay. I understand the requirements and acknowledge that deductions and possible forfeiture of the deposit may occur as outlined in this attachment.

Signature

Printed Name

Date